HOUSE OF REPRESENTATIVES-MARCH 9, 1848.

The SPEAKER announced, as the subject first for the cansideration of the House, the bill reported by Mr. Evass, of Maryland, from the Committee on Public Lands, to amend an act entitled "An act to raise for a limited time an additional military force, and for other purposes," approved February 11, 1847, upon which two questions were pending, viz. the question on agreeing to the amendment of Mr. Richardson, of Illinois, and the question on the motion of Mr. Gippinas, that the bill be committed to a Committee of the Whole on the

caused to be read the 9th section of the act of the last session Congress giving bounty lands to non-commissioned officers, musicians, and privates in the war with Mexico.

Now, by the Construction which had been put upon this the War Department, which the honorable gentleman

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The Was in favor of no improper and invidious discriminations.

Mr. SMITH, of Illinois, observed that he had not been in act by the War Department, which the honorable gentleman from Pennsylvania (Mr. Pollock) the other day seemed to the habit of troubling the House by remarks of his, but it to a direct vote upon the smendment, and then upon the cuthink not represented here a Congressional district grossment of the bill, which would otherwise be the main think and warranted, but which seemed to him (Mr. E) a supported that he represented here a Congres very fair construction, these non-commissioned officers, musicians, and privates; no matter how they had distinguished themselves; no matter how freely they had poured out their blood in Mexico; no matter what sacrifices they had made in leaving their country and going into a far distant land; no matter by what merit or on account of what service they had received their promotion, by the very fact of promotion lost their 160 acres of land. This was the decision of the Department—and a very correct decision he thought it was upon this act of the last Congress. Yet nothing could be plainer than that, when the soldier had served his whole term of earlier than that, when the soldier had served his whole term of earlier than that, when the soldier had served his whole term of earlier than that, when the soldier had served his was promoted. of enlistment except within a few days, and was promotel, nothing could be more just than they should receive their bounty lands. As was said by the honorable gentleman from Illinois (Mr. RICHARDSON) the other day, there had been cases where soldiers had actually been compelled to accept promotions which they would not have done had they known that such would have been the construction of the Depart-

the Committee on Military Affairs. The bill from the Committee on Military Affairs-which the gentleman from Indiana (Mr. Wick) said he drew up-provided substantially for the very same matter provided for by this bill from the Committee on Public Lands. They differed slightly in their form. He had seen the other bill, and, from a careful examination of it, he pre-ferred the bill reported by him from the Committee on Public Lands, and therefore he could not consent to substitute the other for this.

The gentleman from Pennsylvania (Mr. Pollock) had spoken of the soldiers of the last war-the war of 1812-and inquired why they were not provided for. It was his (Mr. E.'s) impression that they were provided for the universe acts. But if they had not reen provided for, it should be done by a serby a sparate bill. However, he had not intended to occupy the time of the House, and he should conclude with a motion which he intended as no unkindness to any one in this House, but for the purpose of blinging the House to a vote on the bill, he moved the previous question.

The previous question was not seconded.

Mr. THOMPSON, of Mississippi, said, if he understood this bill, it was designed to give what was deemed a proper construction to a law passed by the last Congress. He proceeded further to explain what he understood to be the effect of the bill if it should be agreed to, and expressed the opinion that it should be so changed as to confine it to promotions less than field officers. He desired also to make another amendment, for the purpose of doing another act of justice which had been long delayed—he alluded to the soldiers of the last war. By his amendment he proposed to give to each noncommissioned officer, musician, and private who was regularly mustered into the service of the United States as a member f any volunteer company or company of rangers or militia, for not less than twelve months' service during the war of 1812, and received an honorable discharge, a certificate or warrant for one hundred and sixty acres of land. And in the event of the death of any such non-commissioned officer, musician, or private, after his discharge and before the issuing of the certificate or warrant, it should be issued according to the rules which govern the descent of bounty land as provided in the act of February 11th, 1847. For service of less time than a year he wished to make other provisions; for three months' service he proposed to give a certificate or warrant for forty acres of land

Mr. McCEERNAND entreated the gentleman from Mississippi not to encumber this bill with such a provision as that indicated, inasmuch as it would inevitably defeat the bill itself. Mr. THOMPSON was of opinion that the gentleman from Illinois would vote for the bill and for the amendment also,

and be one of the last men to vote it down.

The SPEAKER informed the gentleman from Missis The SPEAKER informed the gentleman from Mississippi that his amendment was not in order. The pending bill was declaratory in its character—it simply prescribed a construction for part of the bill of 1847, whereas the amendment which the gentleman from Mississippi proposed to offer was of an entire of the manifest of the manifest of the different character.

Mr. JOHNSON, of Arkansas, said it appeared to him that the House did not look at this matter in a correct light. Many of these reasons he was in favor of the reference to the first of the manifest of the different character.

Mr. JOHNSON, of Arkansas, said it appeared to him that the House did not look at this matter in a correct light. Many of these reasons he was in favor of the Union, and of the making it the special order for an early day.

gentleman in support of a bill to give bounty lands to the vounteers of the last war; to that he replied that such measures | defect in the bill of the last session; or, more justly, it effect of strangling the measure now pending.

Mr. THOMPSON denied that his object was to strangle

this measure. He was desirous to co-operate with those who thereby this bill was rendered necessary, were evidently so eager to do justice to the merite ions men. The motion had been made to refer this bill to the Commitsame time to couple with it a provision to do justice to another class of men who also had strong claims on their country. However, perhaps it would be more advisable to refer the bill to the Committee of the Whole on the state of the Union, still, and vote to make the bill the special order for some par-

Mr. EVANS begged to remind the gentleman that this was barrass it with any irrelevant motion.

Mr. THOMPSON still insisted that it should be referred,

that it might be seen whether it carried out their intentions.

Mr. RICHARDSON made some explanations, which were
not distinctly heard, but they were understored to be a reiteration of the sentiments expressed by him when this subject was

Mr. MOREHEAD corrected an error into which the gendeman from Hinois (Mr. RICHARDSON) had fallen. That gentleman believed that if a volunteer died before he reached the seat of military operations he was not entitled to his bounty lands. Such was the construction put on the law, but, answer to a letter which he wrote to the Secretary of War,

RICHARDSON, and Mr. MOREHEAD took part. Mr. BOYD said he had not risen to make a speech upon this bill, but simply for the purpose of suggesting an amendment restricting its benefits to officers below the grade of field officers. He thought it would be best to restrict the operation

f the bill to the lower grades of officers in the army.

Mr. RICHARDSON said he had no objection to such an amendment-all he wanted was to set himself right. He was too h not opposed to the bal; he was strongly in its favor. He knew well the need there was for such a provision as it contemplated. The case which had been referred to by his collegue (Mr. Thompson) was one which had repeatedly occurred during the pre-ent war. After the battle of Buena Vista they had great difficulty in finding officers for companies who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action; because men who had lost every officer in action in the previous question.

Mr. HASKELL appealed to the gentlemen to withdraw his demand, for a few moments to allow him to make a few very brief suggestions which he thought would remove the difficulties under which gentlemen had been demand, for a few moments to allow him to make a few very brief suggestions. had served in the rank, and thereby earned their bounty lands, were unwilling to accept commissions because they would lose their land. The bill ought to pass, but Mr. R. which, if this House would adopt it, would enable them to

meet the views of all. He held in his hand a substitute for Mr. JONES, of Tennessee, advocated the reference of the the bill, which he had lately drawn up, and which he wished Mr. JONES, of Tennessee, advocated the reference of the bill, but not to a Committee of the Whole on the state of the Union, which was the worst place in the world for perfecting.

(The proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk, and (as the proposed substitute was read by the Clerk). bill, but not to a Committee of the Whole on the state of the Union, which was the worst pixes in the world for perfecting the details of a bill: he thought it ought to go to the Committee on Military Affairs, who would have time and opportunity maturely to consider the whole subject. They would "honorable d scharge," and repealed the proviso in the boundary of the Whole subject. examine the original law as well as the construction put upon ty-land law of the last session.] it at the Pension Office, and when they had maturely digested the best shape for it to take, could report a suitable bill to the House. The original bill interfied that all soldiers and was elected after having enlisted as a private the bounty lands. non-commissioned officers, serving out their time and getting an honorable discharge, should get bounty land; though it contained a proviso that if they did not reach the seat of which were offered as an inducement to enlist. The decision of the Department excluded the officers. Now, if the bill which he proposed should be taken by the House as a substi-

who had been elected from the ranks to the commission of field officers would get their land, while those promoted to be only captains and heutenants would get none—the privates who took their places would get land, while others who were

to the end of their term of enlistment. Mr. J. thought the amendment proposed by the gentleman from Illinois, (Mr. RARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamendment proposed by the gentleman from Illinois, (Mr. HARALSON made an inquiry, (which was not disamented by the Reporter,) to which having replied—

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Mr. HARALSON made an inquiry, (which was not disamented by the certains of the day carefully abstaining from the exercise of all powers not clearly granted by the constitution."

Yes, sir, "carefully abstaining from the exercise of all powers not clearly granted by the constitution."

Yes, sir, "carefully abstaining from the exercise of all powers not clearly granted by the constitution."

The speaker of the index of the constitution. In reply to inquiries by Messac are fully abstaining from the exercise of all powers not clearly granted by the constitution.

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The speaker of t ernment to a favored few. Some regiments had gone to the seat of war in companies, and their field officers were elected there: these would get land, while the captains and lieutenants of their companies would be entitled to none. The bill to a direct vote—first, upon the amendment of the gentleman needed to be revised and amended by a committee. He thought the Government ought to give the bounty to all the officers or to none. The law in its present shape would preconding the demand for the previous question was taken, wish-

Mr. EVANS, of Maryland, who was catitled to the floor, doing great injustice to one class of persons or another, unless appropriation of lands, and in its alternate provision also made it were deliberately considered and fully matured by a suitable an appropriation of money, it must, under committee. Mr. B. was for securing the land bounty to every

Committee and also from the Committee on the Public Lands. This bill was similar in its character to the bill reported by the Committee on Military Affairs. The bill from the Committee on Military Affairs. The bill from the Committee on Military Affairs. went for the distinction it contained; but certainly it would be gross injustice to exclude from the benefit of the land bounty private soldiers who for merit had been promoted to commissions on the field. Mr. S. concurred in the belief that the construction put upon the original bill at the Pension Office was wrong, but he had an amendment which he proposed to offer, which in its results would confer more benefits and on more men than the present bill. It had regard to many cases which were continually occurring in the new States. A man went into the woods and made an improvement on a tract of land, and after doing so offered himself as a volunteer and was mustered into the service of the United States. Having served

out his time he returned, but he was excluded from the benefit of his labors, because he had not yet been able to collect enough money to pay for his land; for Mr. S. must admit there were in his district many persons who went on the pub-lic domain and improved a spot for themselves, and thus obtained a little home, which they were not able for some time and thereby doing justice to the gallant men who have served their country on the battle-fields of Mexico. There was no reason why the bill should not be now passed, and therefore to enter, though its whole value was derived from their own labor. Mr. S. would like to move it as a new section to the would propose it as an amendment to the amendment offered by his colleague. He held it to be proper to allow these soldiers to enter their land in tracts of eighty and of forty acres, and not require them to take their one hundred and sixty acres all in a body. Would gentlemen force these brave and faithful men to take all their bounty in woodland or all of it in prairie? He presumed not. By allowing them to enter it in smaller tracts, the amendment would go to benefit a hundred men where the bill as it stood would benefit one. Mr. EVANS said that there was a bill for this very purpose

now before the Land Committee.

Mr. SMITH replied that that was very possible—so there were many other bills before the committees of the House which might never become laws. Mr. S. was for embracing the present moment: he wanted this provision, not in the shape of a separate bill, to be reported at some future day, but to have it added now as an amendment to a bilt which

was on the way to its passage.

The CHAIR reminded Mr. Smirn that since the offering of the amendment of his colleague (Mr. RICHARDSON) a ment was in order till that motion was decided.

Mr. Smira's amendment was as follows : "And that the land warrants for military services in the present war with Mexico, issued in pursuance of the 9th sec-tion of the act of February 11, 1847, to raise for a limited time an additional military force and for other purposes, may be located by the warrantee or his heirs at law in forty or eighty acre tracts, at any land office in the United States, upon the public lands in such district subject to private any or the punce ands in such district subject to private en-try, or upon any lands improved by the warrantee or his heirs at law, or to which he or their heirs may, have secured a pre-emption right; and the provisions of this section shall apply to the cases provided for in this act."

a very large number of cases. Now the fact was that the bill, making it the special order for an early day.

The question being taken, it was decided in the affirfour hundred cases at most. Its object was only to supply a mative. always received his support, and he was prepared to vote for declaratory act—declaratory of the intent and meaning of the of the Whole on the state of the Union. such a bill at a proper time, but not when it would have the act of the last session, because from the very terms and language of that act these very cases were embrace by the construction of the Department they were put out, and

who had served in the Mexican war, but he desired at the same time to couple with it a provision to do justice to another standing committee was nothing more than a reflecit. He would like to know what peculiar and superior right Committee on Military Affairs had to the consideration where it could be amended so as to accomplish his purpose and of this subject. It related equally to the business of each, the desire of the friends of this bill. He would go further He would like to ask where was the opposition to this bill? Gentlemen on the other side could bitterly. The opposition was not on the other side. It was among the Democracy. If there were those who wanted to merely a declaratory act; it related to the construction of a defeat it, let them get up and say so boldly, openly. He particular act; and he hoped the gentleman would not emasked, therefore, that the bill might be voted upon by year and nays.

This was no extraordinary bill; it was merely declaratory of the act of last session. It was true that there was a defect in the bill as reported, but it was a defect which was amply supplied and provided against by the smendment of the gen-tleman from Illinois. He said let this bill pass as it stood. last before the House, which were then reported in the Na- It provided for all the cases for which it intended to provide and let these other cases which it was sought to provide for ome up in some separate bill. He knew that every time they boarled a bill in this House with additional amendments they most just and righteous act was sacrificed here. He called for the yeas and nays, and he hoped that the bill might in answer to a letter which he wrote to the Secretary of War, be succeed and the question taken upon the merits of the bill. He understood that the Committee on Military Affairs had Some conversation ensued, in which Mr. HALL, Mr. Pepartel a bill which was identical with the bill before the It seemed to him, then, that the object of referring it back to the committee, or rather to a different committee, was are delay and to defeat the bill. The bill and amendtits as they were now presented-as every man could see nining them—made simple provision for granting jus-those brave and patriotic citizens who had gone to war, the same time effectually guarded the public Treasury. called upon Democrats to sustain it and to sust in the mo-he was about to make; for he did not want the Whigs to have all the honor of passing this measure. He demanded

e previous question.

Mr. HASKELL appealed to the gentlemen to withdraw his Mr. JOHNSON withdrew his motion on a pledge from

was for limiting its operation in such a manner as to do jussice to all.

dispose of this whole matter intelligibly, and in a manner to
meet the views of all. He held in his hand a substitute for

not be entitled to it; but that provise was fute for the bell reported, it explained the act of 11th Februa thought to work injustice and it was rescinded.

Mr. J. thought the bill in its present shape very objectionable, and not likely to secure the object sought in reporting it. He argued from the words of the bill that while those

been subsequently promoted.

The proviso which this bill proposed to repeal was this only captains and heutenants would get none—the private when the constituents, to mustered the very next day would get none.

Mr. EVANS said that that was the very thing intended. Under the original act officers got no land at all, it was given to privates only. This proviso was manifestly unjust. If the private was mustered into the service and discharged without being marched to the seat that that was the very thing intended. When the provise was manifestly unjust. If the private was mustered into the service of the United States he may be the was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so many words, he was in favor of the latter. In so man

officers or to none. The law in its present shape would pre-sent great difficulties of construction, and give rise to multiplied complaints.

Mr. BLACK, of South Carolina, said it was impossible that the House could act on a bill of this character without tended to vote, for it. It was this: that as the bill made an Union, unless two-thirds of the House voted that it should be passed now; and, this being the case, if the previous question were sustained, would it not-instead of bringing the House Exican war gustion-bring the House to vote first upon the reference

then, was an appropriation bill, the whole discussion had been out of order. The Chair, however, regarded this as a mere

Mr. HOUSTON-remarking that he believed that it had been the universal practice of the House, whenever the public property was to be appropriated, to refer the bill to the Com-mittee of the Whole on the state of the Union, and that every onsideration which would produce a rule requiring appropriastate of the Union would also require a bill appropriating the

public properly to go there-appealed from the decision of the Mr. STEPHENS moved to lay the appeal on the table

The question being taken was decided in the affirmative.

The question then recurring on seconding the demand for
the previous question, it was taken, and decided in the negave: Yeas 42, pays not counted

The question then recurred on the motion to refer.

Mr. EMBREE referred; as his appropry for troubling the

House with a single remark, to certain instructions which he had lately received from his constituents. He was in favor of referring the bill to the Committee of the Whole on the state that the soldiers of the late war with Great Britain ought to be included in this or some other measure of this kind, and he feared, if this bill were brought to a direct vote, that many gentlemen would vote for it who might not be so careful to vote for granting the same benefits to those who aided in the defence of our country in the war of 1219. He will be some sanction of Congress. The most of the same sanction of Congress. ed in the defence of our country in the war of 1812. He was in favor of referring this bill, and then of making it the special der for some particular day. Gentlemen had stated that the reference of the bill was cal-

culated to create delay. He thought there had been a delay of thirty-six years in doing justice to those who had exhibited equal valor and equal patriotism in former times in defence of their country's honor and rights. By referring this bill to the Committee of the Whole on the state of the Union the amendments he desired could be proposed, as well as other amend-ments which gentlemen might consider necessary to place the bill in its best shape, and they would be brought to a direct mstress of the seas. We had then to contend with enemies in the heart of our country, and our brave soldiers then dis-

So the bill and amendments were referred to the Counsitee

Mr. HUNT moved that the House do now proceed to the consideration of the business on the Speaker'stable. Agreed to. The first subject taken up was the message of the Presi-tent of the United States returning to the House of Reprethe Territory of Wisconsin and for other purposes, with his objections for withholding his approbation of the same—on which two questions were pending, viz: Mr. WENTWORTH'S motion to refer to the Committee on Commerce, and Mr. VINTON's motion to refer to a select committee.

Mr. VINTON withdrew his motion to refer to a select com-

ee, and the question recurred on the motion to refer to the Committee on Commerce.

Mr. HAMPTON, of Pennsylvania, who had the floor from

day long since past, when the subject was last before the House, commenced by observing that, prior to taking up the which he intended to discuss at the present time, it might not be inappropriate to submit a few remarks, and they should be very few, on a subject intimately connected with the making of appropriations for the improvement of rivers and harbors. He referred to the question of the tariff. He should not now go fully into the discussion of that question, because it had been already ably discussed by several gentle-men on this floor, and particularly by his colleague, (Mr. Srewarr was understood by the allusion.) But the district which he hal the honor to represent on this floor was deeply interested in the question of the protection of American labor and American capital. They believe that, notwithstanding the boasted benefits of the tariff of 1846, the old-fashioned American Whig tariff of 1842 was best calculated to promote ir interest and the interests of the whole country; and, accordingly, at a recent county convention held in the county of Alleghany, resolutions were passed calling on Congress repeal the tariff of 1846 and restore the tariff of 1842. He resolutions, for he should cheerfully submit them to the of 1842 restored; and he hoped the appropriate committee would bring in a bill for that purpose, and that the House would be brought to a direct vote upon it in a short time. He believed it was due to the interests of the county, and to its industry, that that odious free-trade British act should be repealed and an American tariff restored.

Mr. BEDINGER rose and said the question, as he understood it, was on the veto message of the President in relation to the improvement of rivers and harbors; but be gentleman was discussing the tariff. Now, he asked if the gentleman

The SPEAKER was understood to say that he gentleman was not out of order. Mr. HAMPTON said, if they proceeded to make appro-

priations for the improvement of rivers and harms, it would be necessary to look to the revenue whence the means to make the expenditures for that purpose must be derved. That, therefore, was a question affecting the tariff, to the means of creating a revenue, and he should proceed, being perfectly in order, to express his opinion that the tariff ac of 1842, if it were substituted for the act of 1846, would furnish ample

eans for the purpose.

He did not propose to go into a discursion if the details of that bill; but, as a member of the Whig sid of the House, he wished to take up the glove which was thr wn down some time since by a gentleman on the other side of the House from the city of New York, (Mr. Nicoll,) who asked if the Whig members of this House would have the boldness to meet them on the question of protection or free trade? For one, (and he was not authorized to speak for his brethren) he was ready,

pus, sir, I did not rise for the purpose of discussing this question. I propose to discuss, for a short time, with the indulgence of the House, the question of appropriations for the improvement of rivers and harbors. On that subject, sir, I shall spend a few minutes, and but a few, on the question of its constitutionality. That has been denied by the President in his message; and I regret that I have neither the time nor the ability to take up that message, item by item, and examine and refute it, as I would do, high as the authority that asserts the doctrines which it contains may be. The argument of the President is, that it is unconstitutional to make appropriations for the improvement of harbors and rivers. But I presume I need not go into a discussion of that question at all, for this House has vetoed the President's veto itself. We have olready passed on that question, and I doubt not a large and overwhelming majority of this House is ready at any time to decide it constitutional to make appropriations for that purpose. But, sir, I propose to submit a few remarks on that subject before I proceed to the disease sign of the provisity of making

before I proceed to the discussion of the propriety of making gress in regard to the war, Mr. S. had given notice of his in tention to introduce a bill to provide for the very cases contained in the present bill. But before he had had an opportunity to bring in the bill, the Committee on Military Affairs had reported one for the same objects.

Mr. S. was in favor of the bill reported from the Military Committee on the bill reported from the Military Committee and also from the Committee on the Public Lands. then, was an appropriation bill, the whole discussion had been out of order. The Chair, however, regarded this as a mere Not at all. Suppose Congress should refuse to grant the construction to that and configuration to that and configuration to that and configuration to the construction to that and configuration to the con for a moment to call the attention of gentlemen to the provi-sions of the constitution. The 10th section provides that— "No State shall enter into any treaty, alliance, or confeder

"No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imports, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress."

Here the power is unconditional and uncondified. But mere

Here the power is unconditional and unqualified But may not Congress consent that the State of Pennsylvania, or Mas-sachusetts, or South Carolina shall make her own tariff in her own way? Unquestionably it may, under the same provisions of the constitution which authorizes Congress to consent out? All power is now vested in the dominant party; and that States may levy a duty on tonnage. I ssk gentlemen so long as that party shall continue to reign, whatever does

"No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign Power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

Why then, I repeat, are we called upon to single out one particular power that may be exercised by States with the consent of Congress, leaving all other powers to be exercised by Congress? Why, the President tells you you have no power to make appropriations for the improvement of rivers and har-bors with one breath, and with the next he tells you that you bill in its best shape, and they would be brought to a direct vote upon them. He could not conceive why it was that a spirit at this time was so clearly displayed in this House of Well, how is this matter? Has Congress the power to conwillingness to make these grants to those who had been or might be engaged in the present war with Mexico, and of unmight be engaged in the present war with Mexico, and of under the right to exercise that power herself? Has Congress is denounced in the Union before the next twenty-four hours. Willingness to render an equal measure of justice to those who fought in the last war with Great Britain. That was a war if the power to consent that a State may wage war? Who willingness to render an equal measure of justice to those who fought in the last war with Great Britain. That was a war if the power to occare war? Oncounter that a State may wage war? Who with a Power rich in the munitions of war and in all pecuniary means; with a Power whose navy made her the boasted mistress of the seas. We had then to contend with enemies in time of peace? Who ever heard it doubted for a moment? by the President and the President is elected by the people; And yet these powers are placed in the same category with that of levying duty on tounage. If Congress does not posthat of levying duty on tonnage. If Congress does not por-sess the power to levy a duty on tonnage and to improve harsess the power to key a duty on tomage and to improve har-bors and rivers, then Congress does not possess the power to keep ships in time of peace or to declare war; and perhaps the President so thought when he brought on this Mexican

But I go for a truly popular Government; by which I mean a Government in which all great measures of public policy originate with the people themselves.

But time will not allow me to dwell longer on this question

United States, of give back to the various States the power on benefit of our friends over the way: these different subjects which they possessed before the Union. "The lake and river navigation of the Great West, to pro-Will you split up these powers, and apportion them amongst be States? It is impossible. You cannot do it. But, sir, the President tells us further that we may go on

and improve rivers and harbors by means of this tonnage duty. ask how this is to be done ' Here is the State of, Pennsyldent of the United States returning to the House of Representatives the bill to provide for continuing certain works in which is beyond her borders? Here are Pennsylvania, Virginia (1997). ginia, Ohio, Kentucky, and Illinois, all interested in the improvement of the Ohio river. Suppose Pennsylvania were permitted by law to levy a duty on tonnage, where would she expend her money? How is the Ohio river to be improved by that ' Here is the State of Ohio on the one side and Virinia on the other. We are told that two States may enter nto an agreement for that purpose; but they cannot do it. The constitution forbids States to enter into any compact.

No State shall enter into any treaty, alliance, or confederation," is the language of the constitution. But, if you remove that difficulty, what then 'If Ohio agrees, Yirginia may disagree. If Kentucky consents, Illinois may not do so. How, then, are you to improve your harbors and rivers? I mention these as instances to show the difficulties which present them. selves, for we have rivers passing through many States. The

thing is impossible.

Well, sir, if you have no power to improve these rivers and harbors—if you have no power to remove a rock or a sandbar or a snag, which in the West are known as "Polk Stalks"—I should like to know how you get the power to erect lighthouses and to place buoys to point out the dangers of navigation on the seacoast, and to put up marks for the guidance of mariners?
Where do you derive your power? How does it come to pass that you pass laws regulating the number of longboats and steamboats, and give tokens or signs to the boatmen that they may know which course to steer and which to avoid Where do you get that power? If you have no control over the Western rivers at all, if you have no power to improve repeal the tariff of 1846 and restore the tariff of 1842. He them, where do you get your power to erect custom-houses regretted that he had not the paper before him containing and take money from the pockets of the steamboat owners be fore you allow them to sail on those rivers ' or to legislate at those resolutions, for he should cheerfully submit them to the consideration of the House. He was not ashamed of the consideration of the House. He was not ashamed of the consideration of the House. He was not ashamed of the consideration of the House that the sentiments expressed in them. He believed the tariff of 1846 ought to be rejeated, and the tariff of fixed the tariff of 1846 ought to be rejeated, and the tariff of fixed the tariff of on the river, and inspectors of engines. But this is not regu-lating commerce in the sense contended for by the President. He takes money for a license to run on that river, over which he says he has no control. I should like to know what right he has to send custom-house officers there to take our money, if he has no business there—if he has no control over them whatever. What right have you to collect duties from our owners of steamboats, and put it into the treasury of the Uni-ted States, if those rivers are exclusively within the jurisdiction of the States, and if Congress has no control over them That right is founded alone on the assumption that these rivers are great national highways, open to all the citizens of rivers are great national highways, open to all the citizens of the United States. As far back as 1787 it was expressly de-clared, by an ordinance of Congress, that all these Western rivers—the Mississippi and all its tributary streams—are pub-lic highways, and free and open to all citizens of the United States. Its language is, that "the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways." Now, if the General Government has power to declare that these streams are public highways, and that all the citizens of the United States have the view to provide the control of the United States have the right to pass and repass upon them, I should like to know if it has not committed itself to keep these public highways in repair? It is that fact that enables the General Government to take toll on these waters, to erect custom houses, and to receive money for licenses. It is because they have declared them to be highways, free and open for all the citizens of these United States. And as the States have surrendered their power to the General Government, it is bound in good faith to carry out the power for the general

clearly granted by the constitution."

Yes, sir, "carefully abstaining from the exercise of all powers not clearly granted by the constitution!" That all sounds very well, sir. If the President's practice was only in accordance with his faith, he would be an exemplary statesman, indeed. But I would like to propound to his excellency two or three questions on this subject. I would like to know in what clause of the constitution he finds power to annex a foreign Government to this Union? I would like to know in what part of the constitution he finds power to extend our laws over China? And yet he recommended in his annual message that our laws should be extended over a portion of China. The President would confer an obligation on me and on this House if, under his rule of strict construction, he would on this House if, under his rule of strict construction, he would like to know whence he derives hat power? I would like to know, too, whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a survey of the Dead Sea? I would like to know whence he derives his power to authorize a s Yes, sir, "carefully abstaining from the powers not clearly granted by the constitution!" That all sounds very well, sir. If the President's practice was only in accordance with his faith, he would be an exemplary statesman, indeed. But I would like to propound to his excellency three questions on this subject. I would like to know three questions on this subject. conquered by the arms of this Union a neighboring republic, or even portions of its territory, to establish a system of civil government there? Yet, sir, by a single dash of the same pen that wrote the passage which I have just read, our revenue laws are extended over the republic of Mexico. I should like exceedinglay well to hear from the President, or from some friend of his on this floor, whence the President derives his power to establish a system of civil government in New Mexico, or California, or Tamaulipas, or Coahuila, or Santa Pe; or to authorize a survey of the Isthmus of Tehuantepec? What is the object of the survey of that isthmus? Why, says a gentleman near me, it is for the purpose of making a canal or a railroad. I suppose it will be a canal.

canal or a railroad. I suppose it will be a canal.

So then the President derives power from the constitution to go into the territory of a sister republic and conquer it, and then go to work to make canals there, while we are told we have not power to improve the great highways that nature has made in this country, and which are laid down on our maps. Why, it would seem from this hasty review of the subject that the constitution was made for the benefit of foreign nations, and not of this country. Every thing that tends to benefit the people of this country is unconstitutional, while all that is calculated to benefit foreign trade and foreign nations is perfectly constitutional. When our fore athers framed this sacred instrument they were egregiously in error, if this construction is true. They thought they were adopting a form of constitution which would be beneficial to the people of this country. That opinion was shadowed forth in the preamble: "We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general lity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America." But that was all a mistake and ation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, expost facto law, or law impairing the obligation of contracts, or grant constitution for the benefit of foreign nations, and for the welstitution for the benefit of foreign nations, and for the

> fare of other countries.
>
> He went on to inquire if it was possible that such an instrument could have been framed by the makers of the constitution, and by any fair interpretation be susceptible of being

so perverted.

Gentlemen msy talk about the constitution as much as they will, but, as was not inappropriately said in jest by the gentleman from North Carolina, (Mr. _____,) you have no constitution. Has the constitution ever stood in the way of the party now in power? Has it prevented any thing which the President and his parasites have thought proper to carry not square with the views and purposes of the party is uncon-stitutional; while, on the other hand, whatever they wish to accomplish, be it what it may, is all perfectly constitutional. All the powers of this Government are rapidly concentrating in the person of the President. Gentlemen talk about the Baltimore resolutions and about not paralyzing the will of the people; but what is it that the President can ask that he has not always got, so long as he had a majority in this House? What great measure, whether of a financial or of any other kind, has not been first originated by the President or by one of the heads of Department who have been selected to do his pleasure? I detest, I abominate and abhor this one-man power. I am utterly opposed to a consolidated government. What honeyed language do we not hear on this subject from gentlemen on the other side? How eloquently they can declaim against the threatening dangers of a consolidated government; yet what else is our Government at this hour have the temerity to avow that difference on this floor, and he by the President and the President is elected by the people;

war himself. Perhaps that was the reason why he did not apply to Congress to declare war, and, Jackson like, "took read a short extract from a letter addressed by a very distinthe responsibility."

Solution of the good of the whole people of these

Gol. Benton. What does he say? I will read it for the

my attention, and I never had a doubt of the constitutionality or expediency of bringing that navigation within the circle of internal improvement by the Federal Government, when the object to be improved should be one of general and national

A Voice. "That will not be admitted as good authority Mr. H. Possibly it may not be now : for they change their principles so often that one can scarcely tell what they

are: it once was good authority.

I propose now to call the House to the importance, necessity, and propriety of appropriating money, and that with no stinted hand, but to an extent commensurate with the magnitude of the great interests involved, to the improvement

our western rivers.

I shall be forced to confine my attention to some of the great points in the Mississippi valley, and unwillingly to omit a reference to the trade of the great lakes, and the propriety f improving the lake harbors. Other gentlemen w follow me will do ample justice to that subject. If I say nothing now on that part of the subject, it is not because I do not most ariently desire to see those great interests regarded and provided for as they deserve to be: but my time is limited, and I fear I shall not have opportunity to say half I desired and intended. I refer gentlemen on that subject to the report of the Chicago Convention, and to the official survey of the lakes by our topographical engineers submitted during th's present session.

What is the extent of the great Mississippi valley? It is a vast fertile valley extending from the sources of the Mississippi in the north to the Gulf of Mexico in the south, and from the Alleghany Mountains on the east to the Rocky lountains in the west. But yesterday this vast region was an unbroken wilder-

ness, now it embraces eleven entire States, with parts of two others, and two Territories. It contains about 1,200,000 square miles, or 768,000,000 of acres—more than ten times as large as the kingdom of Great Britain—containing a population of nearly 12,000,000, equal to that of all the Atlantic States, and nearly equal to one half the population of the kingdom of Great Britain—that being 27,830,105.

Cast your eyes into the future for a period of only sixty

years, and suppose the population to increase in the same ratio of the past sixty years, (doubling every ten years,) at the end of that period you would see spread over this fer-tile valley, if capable of sustaining them, more than six hun-dred millions of human beings! Make every reasonable deduction in this calculation, and your children now living will see the population of this valley equal at least to that of the see the population of this valley equal at least to that of the whole of Europe. "Europe comprises 61 independent States, of these 3 are empires, 15 kingdoms, 7 grand duchies, 1 electorate, 11 duchies, 1 landgraviate, 11 principalities, 1 lordship, 1 ecclesissical state, and 9 republics." The population of the whole is about two hondred and forty millions. What is the length of the navigable and of the boatable rivers in this great valley? On this subject permit me to quote from the same authority and from the same document. I mean Col. Benton's letter to the Chicago Convention:

" Many years ago the late Governor Clarke and myself un whany gears ago use late (Governor Charke and myself un-dertook to calculate the extent of the hoatable water in the valley of the Mississippi: we made it about 50,000 miles, of which 50,000 were computed to usite above St. Louis, and 20,000 below. Of course, we counted all the infant streams on which a flat, a keel, or a battean could be floated, and just-ly; for every tributary, of the humblest boatable character, helps to swell not only the volume of the central waters, but of the counterrer land there. commerce upon them."

An official report states the length of streams navigable by steemboats at 16,000 miles. The navigation of these "inland seas," these mighty evers, is obstructed by rocks, soags, sandbars, and falls. They need the fostering hand of Government to make them, what nature designed them to be, the great arteries of this immerse region of country, along which shall flow, free and unobstructed, its commerce, its agricultural products, its minerals, and its manufactures.

We invoke the festering hand the General Government to

improve the navigation of these great national highways, and thus increase the facility of bringing the agricultural products of the country to a market. We have not the vast advantages enjoyed by our brethren on the Atlantic or on the Gulf. We are shut in between two vast chains of mountains; but we believe our Government has the power to confer on us a benefit so greatly needed, and we call on it to exert that power

And here let me invite the attention of the House to the increase of the commerce and agriculture of this great valley,

mage 39,000.		or, and their
1840 the number of	steamboats was 285-to:	nage 49,800
	do450	
	do672	
	do686	
	do789	
	do1190	
1847do		0000

The value of the property transported in 1847 was— Western produce shipped to New Orleans. \$84,912,810 Produce shipped from port to port for home consumption 90,000,000
Shipped through Pittsburg and the canals for the waters of the Ohio and Mississippi 84,000,000 Total value of produce shipped \$258,912,810

It is estimated that the foreign merchandise, coin, bullion, and other articles received in exchange amount to the same sum. The value of the property, then, shipped on the Misassippi and its tributaries would amount in one year to the sum of say \$500,000,000; a sum far exceeding in value all our

commerce with foreign nations.

And here I must be permitted to notice particularly the trade, &c. on the Ohio river at its head—the city of Pitts-

, do do 8,394 1847 9,353

30,596 The whole number of steamboats belonging to the port of Pittsburg, on the 1st of January, 1848, was one hundred and nine; the total tonnage of this port on the same day was 28,000 tons.

The cost of building and fitting out steamboats on the

197

Western rivers averages \$80 per ton. Hence the original cost of the tonnage of this port, at \$80 per ton, would be \$2,240,000. As time will not permit me to go through all the details, I must content myself with showing the increase of trade an travel by contrast. Thus, from the Ohio river—

In 1843, steamboat arrivals, 1,707, tonnage 165,317 tons. In 1847, " 3,178, " 372,465 "
Thus it will be seen that in four years the travel and trade

on the river has been doubled. To carry out the last year more fully it will show the fol lowing result : Steamboat arrivals 3,178 Tonnage 372,465

departures. .3,179 372,462 744,950 Add one-third over custom-house measurement 248,310 Flat and keel-boat arrivals 764, tonnage. 20,730 1,013,970

This is the entire tonnage of the Ohio river landed at the port of Pitt-burg.

About ten millions of bushels of coal from the Monongahela and about seventy-five millions of feet of lumber from the Al-leghany river descends the Ohio every year. From these statistical details, which rest on the highest au-

thority, it will appear that the internal commerce of our great Western valley amounts in value to double that of the foreign commerce of the country. Yet, notwithstanding this well authenticated fact, while we send ambassadors, charges, and consuls to all the countries of the world and maintain fleets in every sea; while we spend millions on millions for the pro-tection of foreign commerce, not a dollar is expended to aid this great commercial interest of the people of the Mississippi valley. We do not complain of what you do for the foreign commerce of the country: it is all as it should be: what we complain of, and justly, is that we, with a commerce double

We are taxed to sustain this Government ; we fight your battles. I know not how many men may have gone from the district of the gentleman from Illinois (Mr. Serra) over the way, but I do know that five companies were mustered in the city of Alleghany alone, whose numbers, according to our latest accounts, have dwindled down so that the average diminution averages twenty-four men from each com bear your burdens; we sustain your armies; we pay you taxes; and all we ask in return is the fostering hand of our own Government to protect so vast an interest as I have stated. Nor do we beg this as a favor. No; the West asks no favors, as she shrinks from no responsibilities. We demand as our right.

Mr. HAMPTON's hour here expired, and the floor was ob Mr. SAWYER, of Ohio, who said he had not risen to de-

bate the bill, or to make a speech on that or any other subject, (not even the Presidency.) He thought we had had quite enough speeches on the subject; the subject was well understood on all hands. He had risen to move the previous After a brief conversation as to whether the previous ques tion should be put now or in the morning, it was agreed, as the hour was late, to defer it till to-morrow.

And thereupon, at past 4 o'clock, the House adjourned. FINE AND RARE OLD PAINTINGS.

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Class No. 11, for 1848.

To be drawn in Alexandria, Va., Satorday, 18th March, 1848.

66 numbers—13 ballots. SPEENDID SCHEME.

1 prize of. \$30,000 | 1 prizes of. \$2,080 | 1 do \$2,000 | 1 do \$2,000 | 1 do \$2,000 | 1 do \$3,000 | 1 do \$4,000 | &c. &c. &c. &c. Tickets \$10—Halves \$5—Quarters \$2.50. Certificate of package of 22 whole tickets \$100 00

Do do 22 half do 50 00

Do do 22 quarter do 25 00

\$58,823, nett \$50,000-\$23,529-\$11,764. 100 prizes of \$1,000 are \$100,000. VIRGINIA STATE LOTTERY,

For endowing Leesburg Academy, and for other purpose Class 12, for 1848. To be drawn at Alexandria, Va., Saturday, March 25, 1848.

1 prize of. (Nett \$20,000). \$58,823 53
1 prize of. (Nett \$20,000). \$58,823 53
1 prize of. (Nett \$20,000). \$25,529 41
1 prize of. (Nett \$10,000). \$11,764 70
2 prizes of. \$5,000 2 prizes of. \$2,012 68
2 do. \$4,000 100 do. \$1,000
2 do. \$3,000 175 do. \$500

&c. &c. &c.

78 numbers—13 drawn ballots.

Tickets \$15—Halves \$7.50—Quarters \$3.75—Eighths 1.87.

Certificates of packages of 26 whole tickets \$200 00

Do do 26 half do 100 00

Do do 26 quarter do 50 00

Do do 26 eighth do 25 00

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